

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New Mexico

United States of America)

v.)

Juan Ramon TIRADO-Valdez)
Gilberto MARQUEZ-Marquez)

Case No: 24-1246 MJ

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of August 26, 2024 in the county of Luna in the State and District of New Mexico, the defendant violated § U.S.C. § 1324(a)(1)(A)(v)(I)(Conspiracy to Violate 1324 - All subsections), an offense described as follows:

Knowingly, intentionally, and unlawfully conspired, combined, confederated and agreed with others known and unknown, to commit offenses against the United States, namely: to transport, move, and attempt to transport and move an alien within the United States by means of transportation and otherwise

This criminal complaint is based on these facts:

On August 26, 2024, a Border Patrol Agent (BPA 1) was conducting roving patrol duties in a marked government vehicle along Interstate 10 as a member of the Anti-Smuggling Unit in the Deming, New Mexico Area of Responsibility. At approximately 7:00 p.m., BPA 1 observed a white Ford Explorer traveling eastbound on I-10 towards Deming carrying multiple occupants, including in the rear cargo area of the vehicle. BPA 1 followed the vehicle and relayed the description to BPA 2, who was also conducting highway observation duties along I-10. BPA 1 and 2 observed the vehicle exit and travel towards a truck stop. While BPA 1 and 2 followed the vehicle, the driver started swerving, indicating the driver was paying more attention to the BPA's presence than the road in front of him.

☒ Continued on the attached sheet.

VIA PHONE.
Sworn to before me and signed in my presence.

Date: August 28, 2024

City and state: Las Cruces, N.M.


Complainant's signature
Domonic Chavez, Agent
Printed name and title


Judge's signature
Gregory J. Fouratt, U.S. Magistrate Judge
Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

STATE AND DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

V.

Juan Ramon TIRADO-Valdez

GILBERTO MARQUEZ-Marquez


Continuation of Statement of Facts:


BPA 1 contacted a Law enforcement Information Systems Specialist (LEISS) via government-issued radio and requested record checks on the vehicle. The registration check returned to a valid registration in Estancia, NM and the 72-hour lane check returned positive for a crossing through the Border Patrol Checkpoint on I-25 on August 6, 2024. Due to these observations and the unusual route of travel, BPAs conducted an investigatory stop on the vehicle as it entered the truck stop. BPA 2 approached the driver side window, identified himself as a BPA in the Spanish language and questioned the driver (Gilberto MARQUEZ-Marquez) and front passenger (Juan Ramon TIRADO-Valdez) as to their immigration status. Both freely admitted to being illegally present in the United States. BPA 1 opened the rear door, observed multiple people wearing camouflage clothing attempting to conceal themselves inside the back of the vehicle, identified himself and instructed all additional occupants to exit the vehicle. A total of 11 additional occupants were inside the vehicle, to include three in the rear cargo area. BPA 1 performed an immigration inspection, revealing that they were illegally present in the United States. All subjects were arrested and transported to the Deming Border Patrol Station for further questioning.

Although not verbatim, MARQUEZ-Marquez provided the following post-Miranda statement regarding his involvement in the failed smuggling scheme. MARQUEZ-Marquez freely admitted to being a citizen of Mexico who has been living in the United States for seven years. He claimed to have legally entered the United States with a Border Crossing Card but continued to stay in the United States after it was revoked due to a DUI. MARQUEZ-Marquez was working in various construction jobs in Albuquerque and claims that he had been in contact with a person who organizes human smuggling loads. The human smuggler offered MARQUEZ-Marquez and his friend Juan Ramon TIRADO-Valdez a job to transport illegal aliens from Columbus, NM to Albuquerque, NM for financial compensation. MARQUEZ-Marquez and TIRADO-Valdez agreed to split the overall money upon completion of their smuggling scheme and were given instructions on how to begin the smuggling attempt. MARQUEZ-Marquez was given a two-way radio by the human smuggler to communicate with the group of illegal aliens. Once he arrived in a farming area, he called on the two-way radio, was told to stop along the highway and the illegal aliens got into his vehicle. He then continued to NMSR 146, and then I-10 towards Deming. As he was driving on I-10, BPAs began to follow him. He exited into Deming so he could stop at the nearest gas station where he was then subsequently arrested for his involvement in the smuggling scheme.

Although not verbatim, TIRADO-Valdez provided the following post-Miranda statement regarding his involvement in the failed smuggling scheme. TIRADO-Valdez states that he is a Mexican citizen who has been living in the United States illegally and living in Albuquerque. TIRADO-Valdez and MARQUEZ-Marquez were in contact with a person who he knows as a human smuggler. The human smuggler offered them a job to pick up a group of illegal aliens from Columbus and transport them to Albuquerque for financial compensation if they were to successfully complete the job. TIRADO-Valdez agreed to the offer and he and MARQUEZ-Marquez began the smuggling job. He was given directions to drive from Albuquerque to Columbus. From Columbus, TIRADO-Valdez traveled west until they arrived in a farm area and stopped the vehicle, the group of illegal aliens got inside the car and then they continued to travel to Deming. While traveling, he saw BPAs get behind them, they turned into a gas station in Deming and shortly after they were stopped where TIRADO-Valdez was arrested for his involvement in the smuggling scheme.

Continuation of Statutory Language:



Signature of Judicial Officer

Signature of Complainant

Chavez, Domonic

Filing Agent